

# Notice of Allowability

Application No.

09/744,829

Examiner

Chirag G. Shah

Applicant(s)

PREHOFER, CHRISTIAN

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

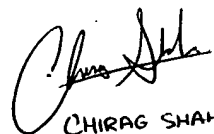
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/2/06.
2. ☒ The allowed claim(s) is/are 13-15, 17, 19, and 21-27; renumbered 1-12 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

  
CHIRAG SHAH  
PATENT EXAMINER, 2616

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Musone on 6/14/06.

The application has been amended as follows:

13. (currently amended) A method for re-routing data packets of a packet-switching network onto at least one alternate network that assures a quality requested by a network user, the packet-switching network and the at least one alternate network form sub-networks of a network over which data packets can be transmitted, including at least one source node and at least ~~on~~ one destination node that are each respectively one of either directly or indirectly connected to an access node via at least one intermediate node, the access node setting up a connection both to the packet-switching network and to one of the at least one alternate network, the method comprising:

identifying by a respective bit pattern known to the access node the data packets to be routed via an alternate network in the source node by a bit pattern known to the access node;  
recognizing the known bit pattern upon arrival of such data packets in the access node;  
re-routing the data packets identified with the known bit pattern onto an alternate network;

connecting to the source node a filter that is integrated in a table for determining traffic paths in the access node via an additional entry of the bit pattern that can produce a rerouting of a data packet identified with the bit pattern onto an alternative network;

using in at least one source node, bit patterns corresponding to the respectively requested quality;

using each recognized bit pattern of a data packet to produce a re-routing thereof onto at least one alternate network with a quality corresponding to the recognized bit pattern; and

preventing the re-routing of the data packet onto at least one alternate network, if after recognition of the bit pattern of a data packet to be routed via the at least one alternate network in the access node, the at least one alternate network cannot offer the quality corresponding to the bit pattern.

14. (currently amended) The method according to claim 13, further comprising the step of using a the filter in the access node to check data packets arriving from a the source node for the known bit pattern; and

initiating the re-routing of the data packets identified with this bit pattern onto an alternate network when a the known bit pattern is recognized.

15. (currently amended) The method according to claim 14 13, further comprising the step of connecting to the source node one of either directly or indirectly via at least one intermediate node containing a the table for determining traffic paths into which the function of the filter is integrated, the table additionally contains bit patterns that can produce a re-routing of the data packet identified with ~~such~~ the bit patterns onto an alternate network.

### **Reasons For Allowance**

2. The following is an examiner's statement of reasons for allowance: Regarding claims 13 and 21 prior art fails to disclose in combination with other limitations a method of re-routing data packets onto at least one alternate network comprising connecting to the source node a filter that is integrated in a table for determining traffic paths in the access node via an additional entry of

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the bit pattern that produce a rerouting of a data packet identified with the bit pattern onto an alternate network and preventing the re-routing of the data packet onto at least one alternate network, if after recognition of the bit pattern of a data packet to be routed via the at least one alternate network cannot offer the quality corresponding to the bit rate.

### *Conclusion*

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chirag G. Shah whose telephone number is 571-272-3144. The examiner can normally be reached on M-F 8:30-5:00.

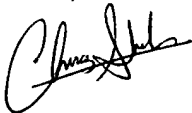
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 571-272-7682. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

cgs

June 14, 2006

A handwritten signature in black ink, appearing to read 'Chirag G. Shah', written over a horizontal line.

Chirag G. Shah  
Patent Examiner, Division 2616